

Effective 5/13/2014

31A-23a-112 Probation -- Grounds for revocation.

- (1) The commissioner may place a licensee on probation for a period not to exceed 24 months as follows:
 - (a) after an adjudicative proceeding under Title 63G, Chapter 4, Administrative Procedures Act, for circumstances that would justify a suspension under Section 31A-23a-111; or
 - (b) at the issuance or renewal of a license:
 - (i) with an admitted violation under 18 U.S.C. Sec. 1033; or
 - (ii) with a response to background information questions on a new or renewal license application or information received from a background check conducted in connection with a new or renewal license application that indicates:
 - (A) the person has been convicted of a crime, that is listed by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, as a crime that is grounds for probation;
 - (B) the person is currently charged with a crime, that is listed by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, as a crime that is grounds for probation regardless of whether adjudication is withheld;
 - (C) the person has been involved in an administrative proceeding regarding a professional or occupational license; or
 - (D) a business in which the person is or was an owner, partner, officer, or director has been involved in an administrative proceeding regarding a professional or occupational license.
- (2) The commissioner may place a licensee on probation for a specified period no longer than 24 months if the licensee has admitted to a violation under 18 U.S.C. Sec. 1033.
- (3) The probation order shall state the conditions for retention of the license, which shall be reasonable.
- (4) A violation of the probation is grounds for revocation pursuant to a proceeding authorized under Title 63G, Chapter 4, Administrative Procedures Act.

Amended by Chapter 290, 2014 General Session

Amended by Chapter 300, 2014 General Session